

Program B: Louisiana Indigent Defense Assistance Board

Program Authorization: R.S. 15.151 et seq.

Program Description

The mission of the Louisiana Indigent Defense Assistance Board is to coordinate and improve the public defender system through education, specialized training, technical assistance, sound financial and administrative guidelines, case assistance and managed resource allocation. The goals of the Louisiana Indigent Defense Assistance Board are:

1. Standardize workload and attorney support units on a statewide basis.
2. Provide quality legal representation in appellate practice by delivering well analyzed and argued appellate briefs and cogent, effective oral arguments on behalf of individual clients.
3. Provide trained, certified, effective counsel to indigent clients charged with a capital crime, appealing a capital conviction and pursuing post-conviction relief.
4. Improve the administrative oversight of attorneys and support staff employed to provide defense services to the program's clients.

The Louisiana Indigent Defender Board, an interim Board, was established by Supreme Court Rule XXXI upon the recommendation of an inter-branch task force composed of members from the legislative, executive and judicial branches. The Board, which was created under the judicial branch of state government, is composed of no less than seven and no more than 15 persons, appointed by the Chief Justice with concurrence of a majority of the Associate Justices. In addition to the necessary and usual powers of the board, the Supreme Court Rule charges the Board with certain responsibilities toward improving the administration of criminal justice in the arena of indigent defense. The Board had a sunset provision of December 31, 1997.

On January 1, 1998, R.S. 15:151 et seq. went into effect, establishing and empowering the Louisiana Indigent Defense Assistance Board (LIDAB), an independent agency of the Executive Branch. Act 10 of the 1998 Regular Legislative Session (General Appropriations Bill) transferred LIDAB to the Executive Office of the Governor as a separate program. The newly created board possesses the powers and duties of its previous board with added rule making authority. In addition, the power to appoint members was transferred to the governor (3 members and designate chairman), the president of the Senate (3 members), the speaker of the House of Representatives (3 members) and one voting member is appointed by each of the following: the Louisiana Association of Criminal Defense Lawyers, the Louisiana Public Defenders Association, and the Louisiana Trial Lawyers Association. The Louisiana Indigent Defense Assistance Board consists of the following activities: Juvenile Defender Program, Technical Assistance Program, Felony Appellate Program, and Capital Program.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2001-2002	ACT 13 2002-2003	EXISTING 2002-2003	CONTINUATION 2003-2004	RECOMMENDED 2003-2004	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$7,807,722	\$8,105,836	\$8,105,836	\$7,780,679	\$7,411,561	(\$694,275)
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	37,500	37,500
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	<u><u>\$7,807,722</u></u>	<u><u>\$8,105,836</u></u>	<u><u>\$8,105,836</u></u>	<u><u>\$7,780,679</u></u>	<u><u>\$7,449,061</u></u>	<u><u>(\$656,775)</u></u>
EXPENDITURES & REQUEST:						
Salaries	\$184,669	\$192,400	\$192,400	\$200,096	\$192,400	\$0
Other Compensation	2,020	30,700	30,700	30,700	30,700	0
Related Benefits	38,782	44,253	44,253	49,917	47,576	3,323
Total Operating Expenses	82,655	401,950	401,950	411,958	401,950	0
Professional Services	0	21,000	21,000	21,522	21,000	0
Total Other Charges	7,492,302	7,415,533	7,415,533	7,066,486	6,755,435	(660,098)
Total Acq. & Major Repairs	7,294	0	0	0	0	0
TOTAL EXPENDITURES AND REQUEST	<u><u>\$7,807,722</u></u>	<u><u>\$8,105,836</u></u>	<u><u>\$8,105,836</u></u>	<u><u>\$7,780,679</u></u>	<u><u>\$7,449,061</u></u>	<u><u>(\$656,775)</u></u>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	5	5	5	5	4	(1)
TOTAL	<u><u>5</u></u>	<u><u>5</u></u>	<u><u>5</u></u>	<u><u>5</u></u>	<u><u>4</u></u>	<u><u>(1)</u></u>

SOURCE OF FUNDING

This program is funded with State General Fund and Statutory Dedications. The Statutory Dedications is derived from the DNA Testing Post-Conviction Relief for Indigents Fund to provide DNA testing for indigents. (Per R.S. 39:32B.(8), see table below for a listing of expenditures out of each Statutory Dedicated fund).

	ACTUAL	ACT 13	EXISTING	CONTINUATION	RECOMMENDED	RECOMMENDED
	2001-2002	2002-2003	2002-2003	2003-2004	2003-2004	OVER/(UNDER)
						EXISTING
DNA Testing Post-Conviction Relief for Indigents Fund	\$0	\$0	\$0	\$0	\$37,500	\$37,500

MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$8,105,836	\$8,105,836	5	ACT 13 FISCAL YEAR 2002-2003
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$8,105,836	\$8,105,836	5	EXISTING OPERATING BUDGET - December 2, 2002
\$0	\$0	(1)	Personnel Reductions
\$2,827	\$2,827	0	Group Insurance Adjustment
(\$697,102)	(\$697,102)	0	Executive Order MJF 2002-29
\$0	\$37,500	0	New and Expanded Adjustments - Funding for DNA testing of indigent inmates
\$7,411,561	\$7,449,061	4	TOTAL RECOMMENDED
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$7,411,561	\$7,449,061	4	BASE EXECUTIVE BUDGET FISCAL YEAR 2003-2004
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$7,411,561	\$7,449,061	4	GRAND TOTAL RECOMMENDED

PROFESSIONAL SERVICES

\$11,000	Legal services provided for the defense of a malpractice suit.
\$10,000	Funding to maintain and service the computers and network.
\$21,000	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

\$6,755,435 Funding for indigents in the following programs: District Assistance, Felony Appellate, Capital Appellate, and Juvenile Defender

\$6,755,435 SUB-TOTAL OTHER CHARGES

Interagency Transfers:

\$0 None

\$0 SUB-TOTAL INTERAGENCY TRANSFERS

\$6,755,435 TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

This program does not have funding recommended for Acquisitions and Major Repairs for Fiscal Year 2003-2004.